

Memorandum of Understanding  
VDEQ & VDOT  
Centralized Burning of Vegetative Debris from VDOT Roadside Maintenance Operations

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- c) Store and manage vegetative debris in accordance with all federal and state laws, as well as applicable local laws, ordinances, prohibitions, and restrictions; and
- d) Not accumulate vegetative debris at Regular Burn Sites for more than 180 days between burns and 270 days in VOC Emission Control Areas or during burn bans; and
- e) Take appropriate action to remedy any vector or nuisance issues created as a result of accumulation of vegetative debris; and
- f) Provide appropriate erosion and siltation control for storage of vegetative debris as well as any associated ground disturbance; and
- g) Provide appropriate fugitive dust control in accordance with 9 VAC 5-40-60 et seq for storage and transportation of vegetative debris; and
- h) Establish, maintain, and adhere to appropriate siting provisions for the storage of vegetative debris included in Table 1 of this MOU; and
- i) Obtain permit(s) from, and make appropriate notifications to, the local City or County Fire Marshall and Virginia Department of Forestry as required by applicable local laws and ordinances; and
- j) Complete the notification form in Attachment 1 and provide to the local VDEQ Regional Office at least 5 business days before commencement of a burn.

Section 2 - During all burning activity, VDOT shall:

- a) Conduct burning in accordance with all federal and state laws, as well as applicable local laws, ordinances, prohibitions, and restrictions; and
- b) Burn only vegetative debris as defined in this MOU; and
- c) Not burn or use liquid accelerants (e.g. diesel, motor oil, etc.) or other prohibited materials (e.g. building debris, treated wood, painted wood, paper, cardboard, asphaltic materials, tires, metal, garbage, etc.) to start or maintain burning vegetative debris; and
- d) Not conduct any burning activity in a VOC Emission Control Area as defined in 9 VAC 5-20-206 during May, June, July, August, and September, or in violation of § 10.1-1142 et seq of the Code of Virginia (4 p.m. Burning Law); and
- e) Not schedule or commence more than one burn event per Regular Burn Site per 60-day period; and
- f) Ensure that the duration of any burn does not exceed 72 hours; and
- g) Ensure that all vegetative debris to be burned is dry and in a condition that sustains good combustion and minimizes smoke; and